

27 APR 1971

Mr. Wilfred H. Rommel  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D. C. 20503

Dear Mr. Rommel:

As indicated in the attached proposed letter to Senator Ervin, we have continued our assessment of the impact of his bill, S. 1438 (S. 782 in the 91st Congress), and feel that we should reaffirm our original position that the Central Intelligence Agency and its employees should be totally exempted from it.

I would appreciate your advice as to whether there is any objection to the submission of the attached letter.

Sincerely,

[Redacted Signature]

John M. Maury  
Legislative Counsel

STAT

Enclosure

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**CENTRAL INTELLIGENCE AGENCY**

WASHINGTON, D. C. 20505

**OFFICE OF THE DIRECTOR**

The Honorable Sam J. Ervin, Jr.  
United States Senate  
Washington, D. C. 20510

My dear Senator Ervin:

I have noted that on 1 April 1971 you introduced S. 1438, a bill "to protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy," which is identical to S. 782 as it passed the Senate last year. I am seriously concerned about the consequences of S. 1438 for the Central Intelligence Agency and urge your Subcommittee to grant this Agency a full exemption.

You will recall that in my testimony before your Subcommittee on 22 July 1969 I discussed the problems which S. 782 would pose for the CIA, and asked that the Agency be given the same full exemption from the bill as that accorded the Federal Bureau of Investigation. In response to your desire at that time, an attempt was made to draft alternative language which might alleviate certain difficulties which the original version created for this Agency. Some of this language was incorporated in S. 782 as it was reported by the Subcommittee and passed by the Senate. These changes, however, did not meet the Agency's needs.

Since that time we have continued our careful assessment of the impact of S. 782 as thus passed by the Senate and feel I must reaffirm my original position that, in the interest of national security, the CIA and its employees should be totally exempted from it.

The Office of Management and Budget advises that there is no objection to the submission of this report and that enactment of S. 1438 in its present form would not be consistent with the Administration's objectives.

Sincerely,

Richard Helms  
Director